Single Bench

C.F 108

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 4396 OF 2004

KANHAI RAM JURREE, AGED ABOUT 40 YEARS,
S/O HALAL KHORE, JURREE AT PRESENT WORKING,
AS A ASTT. TEACHER, PRIMARY SCHOOL BAHOND,
BLOCK DEVELOPMENT MAKDI, JAGADALPUR
BASTAR DISTRICT (C.G.)

---------- **PETITIONER**

P.R. No. Presented by Shri dated

VERSUS

1. The State Of Chhattisgarh, through the Secretary Department of Tribal, Welfare, D.K.S. Bhawan, Raipur (C.G.)

2. The Director, Tribal Welfare Department, Chhattisgarh, Raipur C.G.

3. Asst. Commissioner, Tribal Welfare Department, Jagadalpur, District – Bastar C.G.

4. Collector, Bastar at Jagadalpur, District Bastar C.G.

5. Block Education Officer, Makdi, District Bastar C.G.

6. District Education Officer, Jagadalpur district Bastar C.G.

---------- **RESPONDENTS**

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITATION CERTIORARI ETC OR ANY OTHER DIRECTION OF ORDER TO DO JUSTICE IN THE MATTER.

(29)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4396/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

15/12/2004

Shri Vishnu Koshta, counsel for the petitioner.
Shri Yashwant Singh, Govt. Adv., for the State.
Application for urgent hearing is allowed.
Heard.

Learned counsel for the petitioner submits that the petitioner was transferred vide order dated 5/7/2003. He further submits that although the petitioner was transferred 16-17 months back, but he has not yet been relieved on the ground that the elections to the Legislative Assembly were due. He also submits that the transfer order has not been cancelled.

It is submitted that this Court has passed orders in W.P. No.1465/04. He prays for similar orders in this petition.

State counsel is not in a position to dispute the fact.

Now the election to the Vidhan Sabha has already been held and if the transfer order has not been cancelled, then there is no reason in not relieving the petitioner and as such now he may be relieved within three weeks from the date of production of the copy of this order.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P. No.4744/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

GR.PRJ—FS/350—12/2000—50,000.